

Order No. 144/23

**ORDER RESPECTING
THE RURAL MUNICIPALITY OF FISHER
WATER AND WASTEWATER UTILITY
REQUEST TO REVIEW AND VARY
BOARD ORDER NO. 38/19**

Revised January 26, 2024

December 15, 2023

**BEFORE: Marilyn Kapitany, B.Sc. (Hon), M. Sc., Panel Chair
Shawn McCutcheon, Panel Member**

1.0 Executive Summary

By this Order, the Public Utilities Board (Board) approves the Rural Municipality of Fisher's (RM) request to vary Board Order No. 38/19 for the Fisher Water and Wastewater Utility (Utility).

The Board grants approval to the RM to update the Utility By-law to reflect charges in cubic meters from imperial gallons, as shown in the table below. The conversion rate is 4.55 cubic meters per 1,000 imperial gallons. There is a small variation in the Minimum Quarterly charges as a result of rounding.

The Board denies the proposed Lagoon Tipping Fee for use of the lagoon by residents outside the Utility boundaries not connected to the collection system, pending further information.

	Rate per 1,000 gallons	Rate per cubic meter
Quarterly Service Charge - flat rate	\$ 22.40	\$ 22.40
Water	\$ 24.50	\$ 5.38
Wastewater	\$ 7.15	\$ 1.57
Minimum Quarterly Charge - 3,000 gallons or 13.66 cubic meters	\$ 117.35	\$ 117.34
Min Quarterly - Wastewater Only Residential - 17,600 gallons or 80.01 cubic meters	\$ 148.24	\$ 148.13
Minimum Quarterly - Wastewater Only for Car Wash - 35,200 gallons or 160.02 cubic meters	\$ 274.08	\$ 273.86
Bulk Water Sales	\$ 24.50	\$ 5.38

The reasons for the Board's decisions are under Board Findings.

2.0 Background

This Board Order is best read in conjunction with Board Order No. 38/19.

In Board Order No. 38/19, issued March 29, 2019, the Board granted approval for revised rates for July 1, 2019 and January 1 2020 and 2021.

3.0 Application

On March 27, 2023, the RM submitted a request that the Board review its decision made in Board Order No. 38/19 and allow the RM to convert its rates from “per 1,000 gallons” to “per cubic meter”. This request comes after the RM installed new water meters in 2022 that measure consumption using cubic meters.

The RM also advised its current rates are sufficient to sustain the operating system.

The request was accompanied by By-law No. 1199/23, having had first reading March 16, 2023. The Board reviewed the By-law and found it also included proposed Lagoon Tipping Fees. At the Board’s request, the RM provided additional information regarding the proposed Tipping Fees.

4.0 Board Findings

The Board has reviewed the RM's request and finds the request to convert its rates from "per 1,000 gallons" to "per cubic meter" to align with its new meters to be reasonable.

At this time, further information is required in order for the Board to make its decision on the proposed Tipping Fees. The Board has requested the necessary information and will issue a decision in due course.

The Board will require the RM to review its rates for adequacy on or before June 30, 2025.

The Board reminds the RM regular reviews are important for a financially sound utility and encourages the RM to review Board Order Nos. 27/23 and 86/17 for future rate applications. The Order outlines the Simplified Rate Application Process for municipally owned public utilities. If, after its rate review, the RM finds it meets the designated criteria for a simplified rate application, it should apply for future rates using the Simplified Rate Application Process.

5.0 IT IS THEREFORE ORDERED THAT:

1. The request by the Rural Municipality of Fisher Water and Wastewater Utility, to convert the water and wastewater rates approved in Board Order No. 38/19 from imperial gallons to cubic meters BE AND IS HEREBY APPROVED effective January 1, 2024.
2. The Rural Municipality of Fisher amend its Water and Wastewater Utility rate By-law to reflect the decisions in this Order, and submit a copy to the Board once it has received third and final reading.

3. The Rural Municipality of Fisher review the Fisher Water and Wastewater Utility rates for adequacy and file a report with the Public Utilities Board, as well as an application for revised rates (if applicable), on or before June 30, 2025.

Fees payable upon this Order – \$150.00

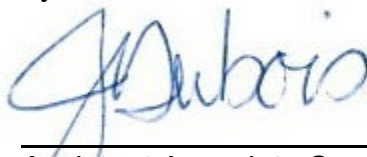
Board decisions may be appealed in accordance with the provisions of Section 58 of *The Public Utilities Board Act*, or reviewed in accordance with Section 36 of the Board's Rules of Practice and Procedure. The Board's Rules may be viewed on the Board's website at www.pubmanitoba.ca.

THE PUBLIC UTILITIES BOARD

"Marilyn Kapitany, B.Sc. (Hon), M. Sc"
Panel Chair

"Jennifer Dubois, CPA, CMA"
Assistant Associate Secretary

Certified a true copy of Order No. 144/23 issued
by The Public Utilities Board



Assistant Associate Secretary

SCHEDULE "A"

**THE RURAL MUNICIPALITY OF FISHER
WATER AND SEWER RATES
BY-LAW NO. 1199/23**

SCHEDULE OF QUARTERLY RATES:

1. Commodity rates – Water & Wastewater – per Cubic Metre (m3)

All Water Consumption	<u>Water</u>	<u>Wastewater</u>	<u>Water & Wastewater</u>
Effective January 1, 2024	\$5.38	\$1.57	\$6.95

2. Minimum Charges, Quarterly

Notwithstanding the Commodity rates set forth in paragraph 1 hereof, all customers will pay the applicable minimum charges set out below, which will include water allowances indicated:

(a) Water and Sewer Customers

January 1, 2024			Customer Service Charge	Commodity Charges		Quarterly Minimum
Meter Size	Group Capacity Ratio	Water Included Cu Meters		Water	Waste Water Sewer	
5/8"	1	13.66	\$22.40	\$ 73.49	\$ 21.45	\$ 117.34
3/4"	2	27.32	\$22.40	\$ 146.98	\$ 42.89	\$ 212.27
1"	4	54.64	\$22.40	\$ 293.96	\$ 85.78	\$ 402.15
1 1/2"	10	136.62	\$22.40	\$ 735.02	\$214.49	\$ 971.91
2"	25	341.54	\$22.40	\$1837.49	\$536.22	\$ 2396.10

(b) Water Only Customers

Minimum charge will be the same for each meter size as shown above, but the Sewer Commodity Charge will be excluded.

(c) Wastewater Only for Residential Customers

The Rural Municipality of Fisher do charge the owners or occupants of land serviced with sewer but no water an amount determined by using the same sewer rate charged to connected customers multiplied by the quarterly estimated sewer usage (80.01 cubic meters) plus the quarterly service charge, as follows:

$$2024 \quad \$22.40 + (\$1.57 \times 80.01\text{m}^3) = \$148.13$$

(d) Sewer Only for Car Wash

The Rural Municipality of Fisher do charge the owners of the Car Wash that is serviced with the sewer but not water an amount based on a quarterly estimated usage of 160.02 cubic meters, which is an amount equivalent to two times that of a residential property as noted above in (c) $80.01 \times 2 = 160.02$ cubic meters:

$$2024 \quad \$22.40 + (\$1.57 \times 160.02\text{m}^3) = \$273.86$$

3. Bulk Sales Rate

All water sold in bulk by the Rural Municipality of Fisher shall be charged the same rate for water as connected customers as follows:

2024 \$5.38 per cubic meter.

Customers can buy in small quantities for amounts of 2.27 cubic meters or less.

4. Service to Customers Outside Municipality, Town, or L.I.D., Limits

The Council of Rural Municipality of Fisher may sign agreements with customers for the provision of water and sewer services to properties located outside the legal boundaries of Local Improvement Districts Nos. 1 and 2 in Fisher Branch.

Such agreements shall provide for payment of the appropriate rates set out in the schedule, as well as a surcharge, set by resolution of Council, which shall be equivalent to the frontage levy, general taxes and special taxes for utility purposes in effect at the time, or may be in effect from time to time, and which would be levied on the property concerned if it were within these boundaries. In addition, all costs of connecting to the utility's mains and installing and maintaining service connections will be paid by the customer.

5. Billings and Penalties

A late payment charge of $1\frac{1}{4}$ % shall be charged on the dollar amount owing after the billing due date. The due date will be at least fourteen days after the mailing of the bills.

6. Disconnection

The Public Utilities Board has approved the Conditions Precedent to be followed by the municipality with respect to the disconnection of service for non-payment including such matters as notice and the right to appeal such action to the Public Utilities Board. A copy of the Conditions Precedent is available for inspection at the Rural Municipality of Fisher Office.

7. Reconnection

Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$30.00 have been paid.

8. Outstanding Bills

Pursuant to Section 252(2) of *The Municipal Act*, the amount of all outstanding charges for water and sewer service are a lien and charge upon the land serviced, and shall be collected in the same manner in which ordinary taxes upon the land are collectible, and with like remedies.

9. Hydrant Rentals

The Rural Municipality of Fisher will pay to the utility an annual rental of \$150.00 for each hydrant connected to the system.

10. Water Allowance Due to Line Freezing

That in any case where, at the request of the Council, a customer allows water to run continuously for any period of time to prevent the water lines in the water system from freezing, the charge to that customer for the current quarter shall be the average of the billings for the last two previous quarters to the same customer, or to the same premises if the occupant has changed.

11. Sewage Surcharges

- (a) There may be levied annually, in addition to rates set forth above, a special surcharge on sewage having a Biochemical Oxygen Demand in excess of 300 parts per million, to be set by resolution of Council.
- (b) A special surcharge for substances requiring special treatment shall be charged based on the actual costs of treatment required for the particular sewage or industrial wastes.